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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/752,395	01/06/2004	Sung-Chul Yang	678-1316	3577
66547	7590	11/02/2007		
THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			EXAMINER PEYTON, TAMMARA R	
			ART UNIT 2182	PAPER NUMBER
			MAIL DATE 11/02/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/752,395	Applicant(s) YANG, SUNG-CHUL	
	Examiner Tammara R. Peyton	Art Unit 2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **Response to Applicant's Arguments**

Applicant argued: "MPEP 2271 instructs, "Before a final action is in order, a clear issue should be developed between the examiner and the patent owner. To bring prosecution to a speedy conclusion and at the same time deal justly with the patent owner and the public, the examiner will twice provide the patent owner with such information and references as may be useful in defining the position of the Office as to unpatentability before the action is made final." However, under present practice, second or any subsequent actions on the merits shall be final, except where the examiner introduces a new ground of rejection that is neither necessitated by applicant's amendment of the claims nor based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p). See MPEP § 706.07(a).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vesikivi et al., and Swan, (US 2004/0093317).

As per claims 1, 7, 10-14, Vesikivi teaches an apparatus for managing an address book in a portable wireless terminal, the apparatus comprising:  
a radio frequency identification (RFID) recognition section for receiving information transmitted from an RFID chip after transmission of an electric wave, storing received information, and reading identifiers and data (content) corresponding to the identifiers and received information; encoding/decoding the data corresponding to the identifier into data suitable for the address book [(Fig. 8, lines 9, lines 3-col. 10, lines 1-33); a display section for displaying data for management of the address book; a user command input section for inputting a command for an address book management by a user; an address book storage section for storing the converted data; and a control section for controlling an operation of the RFID recognition section, so as to transmit the converted data to the address book storage section, thereby storing the converted data in a field of the address book storage which corresponds to the identifiers.

Vesikivi teaches a system including a portable wireless terminal that receives and transmits information including information for updating an address book located on the portable wireless terminal using RFID. It would have been obvious to one of ordinary skill at the time the invention was made that Vesikivi specifically teaches wherein a RFID business card can communicate with the portable wireless terminal in order to update an address book, e-mail, or calendar information on the portable

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wireless terminal; because, Vesikivi teaches wherein the user is given the opportunity to selectively store the updated data or disregard the information received from the business card. Vesikivi specifically teaches using the data read via the RFID reader to further decode the data read and using the data to execute a communication application and/or further use the decoded data to update an address book, e-mail, or calendar information on the portable wireless terminal. Therefore, one of ordinary skill was readily recognize that at least one part of the data read is an identification data that is decoded/structured and further stored in the memory location and also used to execute a communication application and/or further update an address book. Please see previous Office Action for the basic definition of a decoder from Microsoft Press: Computer Dictionary regarding the RFID reader's (24) decoder logic cited in a previous Office Action.

Vesikivi does teach a data conversion section but teaches the portable terminal having an antenna for transmission/reception of data with the decoder logic therefore would be obvious that Vesikivi also teach the code in order to implement RFID data communication. Examiner is taking the position that the decoder logic of Vesikivi does perform some type of conversion/decoding of the data once it is read by the RFID and that data is used to update an address book, e-mail, or calendar information on the portable wireless terminal.

Nonetheless, Swan also teaches a data conversion section (inherent, [0050, 0213-217]) for converting (the related (unique IDs, [0080-0082, 0095] with end users

21-25) the data corresponding to the identifier into data suitable for the address book [0007] thereby storing the converted data in a field of the address book storage which corresponds to the identifiers. (Swan, [0091-212])

Therefore, it would have been obvious to one of ordinary skill for Vesikivi to implement a data conversion section similar to Swan because both teach a similar claimed invention of receiving electronically via a portable device user specific address book data, converting/encoding/decoding the received data and based on that data storing and/or updating an address book. Swan's data conversion section would add and expand Vesikivi's RFID conversion system by enabling Vesikivi's portable device access to various formation conversion routines in order to convert in a format based on the selected formatted for a plurality of individual users portable devices. (Swan, [0050])

As per claim 2, Vesikivi teaches wherein the RFID recognition section comprises:

- an antenna; (Fig. 1)
- an electric wave transmission section for generating the electric wave for operating the RFID chip to transmit the electric wave through the antenna; (Fig.1)
- an electric wave control section for controlling the electric wave transmission section to transmit the electric wave having a frequency and an intensity corresponding to the RFID chip;
- an electric wave reception section for receiving information transmitted from the RFID chip through the antenna; (Fig. 3-6)

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a memory for storing information received in the electric wave reception section;  
an ID reading section for analyzing digitized information stored in the memory to read out digitized information as private information; and  
a data conversion section for converting information read by the ID reading section into data suitable for the address book. (col. 4, lines – col. 7, lines 1-60)

As per claim 3-5, Vesikivi does not expressly teach wherein the electric wave reception section includes an amplification section for amplifying the electric wave when the received electric wave has a weak intensity and an error detection section for detecting an error when the received electric wave has the error, however Vesikivi does teach the use of an antenna signal. Therefore, one of ordinary skill would readily recognize that applying a known or common amplification section or an error detection would have been obvious and recognized as part of the ordinary capabilities of one skilled in the art as a known or common communication method.

As per claims 8, 9, 15, and 16, Vesikivi teaches wherein the data converted by the external RFID recognition section are transmitted to the terminal through an ear phone jack and transmitted to the terminal through a universal asynchronous serial receiver and transmitter. (col. 4, lines – col. 7, lines 1-60)

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (571) 272-4157. The examiner can normally be reached between 6:30 - 4:00 from Monday to



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Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Huynh can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

A handwritten signature in black ink, appearing to read 'Tammara Peyton', written in a cursive style.

**TAMMARA PEYTON  
PRIMARY EXAMINER**

Tammara Peyton

October 29, 2007